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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,643	12/29/2000	Kris Fleming	42390P9723	1490
7590	02/14/2006			EXAMINER BLAIR, DOUGLAS B
Glenn E. Von Tersch BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP Seventh Floor 12400 Wilshire Boulevard Los Angeles, CA 90025-1026			ART UNIT 2142	PAPER NUMBER
DATE MAILED: 02/14/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/752,643	FLEMING ET AL.	
	<b>Examiner</b> Douglas B. Blair	<b>Art Unit</b> 2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 25 November 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 30,32-43,45-48 and 50-58 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 30,32-43,45-48 and 50-58 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

## **DETAILED ACTION**

### ***Response to Amendment***

1. Claims 30, 32-43, 45-48, and 50-58 are currently pending in this application.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 30-43 and 45-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over the “Specification of the Bluetooth System- Part E” hereinafter referred to as the Bluetooth Specification in view of U.S. Patent Number 6,826,387 to Kammer.

4. As to claim 30, the Bluetooth Specification teaches a method comprising: receiving a service record at a first radio device from a second radio device through a virtual communication port (Section 2.1), the service record including a service record handle to identify the service record (Section 2.2) and a service name to identify a service of the second radio device (Section 2.3); and a sending a connection request from the first radio device to the second radio device (Section 2.1), however, the Bluetooth Specification does not explicitly teach the connection request including the service name to indicate the appropriate service.

Kammer teaches a method of making a connection request with the connection request including the service name to indicate the appropriate service, and not including an indication of

the virtual communications port through which the service record was received (col. 13, lines 6-23 and Figure 9, reference number 950 indicates that only the service name is used to locate the application.).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of the Bluetooth Specification regarding service discovery and service records with the teachings of Kammer regarding the use of a service name when making a request because the service name is a user friendly way to access a service (Kammer, col. 13, lines 24-32).

5. As to claim 31, Kammer teaches the method of claim 30, further comprising receiving a virtual communications port with the service record, and wherein the connection request does not include the associated virtual communications port (col. 13, lines 6-23).

6. As to claim 32, the Bluetooth Specification teaches the method of Claim 30, wherein receiving a service record comprises receiving a service record from an advertising device (Section 2.2).

7. As to claim 33, the Bluetooth Specification teaches The method of Claim 30, further comprising sending a query and wherein receiving a service record comprises receiving a service record in response to the query (Section 2.2).

8. As to claim 34, the Bluetooth Specification teaches the method of Claim 33, wherein the query is sent utilizing a Bluetooth protocol SDP request and wherein the service record is received in the form of an SDP response (Section 2.1).

9. As to claim 35, the Bluetooth Specification teaches the method of Claim 30, further comprising: receiving a virtual communications port with the service record; and maintaining a

database of radio device service records containing a service name and an associated virtual communications port for each service record (Section 2.2).

10. As to claim 36, Kammer teaches the method of Claim 35, further comprising connecting to a first service for which a radio device service record exists in the database utilizing the service name of the first service to initiate the connection (col. 13, lines 6-23).

11. As to claim 37, the Bluetooth Specification teaches the method of Claim 36, further comprising connecting to a second service for which a radio device service record exists in the database utilizing the service name of the second service to initiate the connection (Bluetooth can be used to connect multiple devices).

12. As to claims 38, 41, 45, 48, 52, and 54, they feature the same limitations as claim 30 and are rejected for the same reason as claim 30.

13. As to claims 39-40 and 50-51, the feature similar limitations to claims 33 and 34 and are rejected for the same reasons as claims 33 and 34.

14. As to claim 42, the Bluetooth spec teaches a Bluetooth interface.

15. As to claims 43, 53 and 55, the Bluetooth Specification teaches connecting to each service for which a record exists in a set of received service records (Section 2.1).

16. As to claim 46, it is rejected for the same reason as claim 33.

17. As to claim 47, it is rejected for the same reasons as claims 36 and 37.

18. As to claim 49 it is rejected for the same reason as claim 31.

***Response to Arguments***

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19. Applicant's arguments filed 11/25/2005 have been fully considered but they are not persuasive. The applicant argues that Kammer does not include "the connection request including the service name to indicate the appropriate service, and not including an indication of the virtual communications port through which the service record was received." However, Figure 9, reference number 950 of Kammer shows the use of a service name without and indication of a virtual communications port with the number.

### ***Conclusion***

20. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B. Blair whose telephone number is 571-272-3893. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Douglas Blair



  
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SUPERVISORY PATENT EXAMINER